REMARKS

This is in response to the Office Action dated January 28, 2010. In view of the above amendments and the following remarks, reconsideration of the rejection and further examination are requested.

An Examiner Interview was conducted on March 30, 2010. In the interview, applicant's attorney discussed the prior art with the Examiner and proposed amending claim 1 to define that the display order information is a picture order count. The Examiner agreed that this amendment was helpful in clarifying the invention, but felt that it was also necessary to distinguish the "flag" in claim 1 from the "flag" disclosed in Okada. Applicant's attorney proposed an additional amendment which clarifies that the "flag" is inserted between the clips in the coded stream, and argued that Okada does not describe the "flag" being located within the coded stream at all. This feature is recited in claim 16.

Rejection under 35 U.S.C §103(a):

Claims 1, 4, 6-8, and 12-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada (US 6,148,140) in view of Chang (US 7,289,564). This rejection is submitted to be inapplicable to the above claims, as amended, for the following reasons.

Claim 1 recites that display order information for each picture is a picture order count (POC) and has a value indicating the display order of the respective pictures and that the flag is stored in the coded stream or the flag is stored in random access point information in the file system to convey the coded stream. The combination of Okada and Chang fails to disclose or suggest the above features as recited in claim 1.

As discussed in detail in the amendment filed on October 16, 2009, Okada discloses a flag that indicates to the video encoder whether to reproduce the video seamlessly or not. However, Okada does not disclose any details regarding the placement of the flag in the coded stream and does not disclose that the display order information is a picture order count. Therefore, Okada does not disclose or suggest that display order information for each picture is a picture order count (POC) and has a value indicating the display order of the respective pictures and that the flag is stored in the coded stream or the flag is stored in the random access point

information in the file system to convey the coded stream, as recited in claim 1. Chang also fails to disclose or suggest the above features as recited in claim 1.

As discussed in detail in the amendment filed on October 16, 2009, Chang discloses a video encoding method with support for editing with a scene change. However, Chang does not disclose any details regarding the placement of the flag in the coded stream and does not disclose that the display order information is a picture order count. Therefore, Chang does not disclose or suggest that display order information for each picture is a picture order count (POC) and has a value indicating the display order of the respective pictures and that the flag is stored in the coded stream or the flag is stored in random access point information in the file system to convey the coded stream, as recited in claim 1.

Accordingly, no obvious combination of Okada and Chang would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claim 1. As a result, claim 1 is patentable over the combination of Okada and Chang.

Claims 6, 8, 12-15 are patentable over the combination of Okada and Chang for reasons similar to those discussed above with regard to claim 1.

Claims 4 and 7 are dependent on independent claim 1 and6, respectively. As a result, claims 1, 4, 6-8, and 12-15 are allowable over the combination of Okada and Chang.

Claims 9 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada (US 6,148,140) in view of Chang (US 7,289,564) and further in view of Teo (US 5,621,464). This rejection is submitted to be inapplicable to the above claims, as amended, for the following reasons.

Claims 9 and 11 are dependent on claim 8 discussed above.

Teo is relied upon in the rejection as disclosing removing pictures based on display information before they are displayed. However, it is apparent that Teo fails to disclose or suggest the features lacking from the combination of Okada and Chang discussed above with regard to independent claim 8. Accordingly, no obvious combination of Okada, Chang, and Teo would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claims 8, 9, and 11. Therefore, claims 8, 9, and 11are patentable over the combination of Okada, Chang, and Teo.

Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada (US 6,148,140) in view of Chang (US 7,289,564) and Teo (US 5,621,464) and further in view of

Asai (US 6,710,785). This rejection is submitted to be inapplicable to the above claims, as amended, for the following reasons.

Claim 10 is dependent on claim 9 discussed above.

Asai is relied upon in the rejection as disclosing a clip sort function used in video editing where clip information is updated and video sections are removed. However, it is apparent that Asai fails to disclose or suggest the feature lacking from the combination of Okada, Chang, and Teo discussed above with regard to claim 9. Accordingly, no obvious combination of Okada, Chang, Teo, and Asai would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claims 9 and 10. Therefore, claims 9, and 10 are patentable over the combination of Okada, Chang, Teo, and Asai.

Because of the above-mentioned distinctions, it is believed clear that claims 1, 4, and 6-15 are allowable over the references relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of the invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in 1, 4, and 6-15. Therefore, it is submitted that claims 1, 4, and 6-15 are clearly allowable over the prior art of record.

In view of the above remarks, it is submitted that the present application is now in condition for allowance. The examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

Youji NOTOYA et al.

/Allen N. Doyel/
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By _____
Allen N. Doyel
Registration No. 60,391
Attorney for Applicants

AND/JRF/ats
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
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